HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4637 of 2007

PETITIONER		Phanibhushan Saha, S/o Amulya Saha, Aged about 47 years, Presently posted and working as Gramin Krishi Vistar Adhikari, Block Koilibeda, District Kanker (C.G.)
		Versus
RESPONDENTS	1	State of Chhattisgarh, Through the Secretary, Department of Agriculture, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.
	2	Under Secretary, Department of Agriculture, Government of Chhattisgarh, D.K.S. Building, Mantralaya, Raipur, Chhattisgarhj

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Appearance:

Shri B.D. Guru, counsel for the petitioner.

Shri Yashwant Singh, Govt. Advocate for the State on Advance copy.

ORAL ORDER
(13.08.2007)

SUNIL KUMAR SINHA, J.

Heard.

The petitioner, who is presently working on the post of *Gramin Krishi Vistar Adhikari,* Koilibeda, District Kanker (wrongly mentioned as Block Phakanjur, as stated by learned counsel for the petitioner), has been transferred from the said place to the office of *Varisht Krishi Vikas Adhikari*, Pratappur, District Sarguja on administrative grounds.

Learned counsel for the petitioner argues that the petitioner is working in Scheduled District, therefore, he should not have been transferred/relieved, unless another person comes in place of the petitioner. He also argues that many posts are lying vacant in the same Block but the petitioner has been chosen to be transferred to District Sarguja.

Needless to say that these are not the grounds for interfering in the order of the transfer by a Court of law. Transfer is an exigency of service, who should be posted where is completely on the discretion of the employer and no person working on a transferable post can claim for his posting at a particular place. It has been settled in many cases

that the transfer order can be interfered by a Court of law only when the same is vitiated by malafides or extraneous consideration or is effected in violation of any statutory Rules or the Act.

Having heard learned counsel for the petitioner, having gone through the contents of the writ petition, I am not inclined to admit this petition for issuance of any writ on the grounds pressed by the learned counsel for the petitioner. No case is made out for interfering in the transfer order.

The petition has no merits and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

vatti

25/8/04